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## PART II—Section 4

### Statutory Rules and Orders issued by the Ministry of Defence

#### MINISTRY OF DEFENCE

##### CANTONMENT REGULATIONS—BYE-LAWS

*New Delhi, the 6th January 1962*

**S.R.O. 14.**—The following bye-laws for regulating the inspection and the giving of copies of the records and documents of the Cantonment Board, Babina, made by the said Board, in exercise of the powers conferred by clause (39) of section 282 of the Cantonments Act, 1924 (2 of 1924), are hereby published for general information, the same having been previously published and having been approved and confirmed by the Central Government, as required by sub-section (1) of section 284 of the said Act, namely:—

#### BYE-LAWS FOR REGULATING THE INSPECTION AND THE GIVING OF COPIES OF CANTONMENT RECORDS AND DOCUMENTS

1. Except as otherwise provided by or under the Cantonments Act, 1924, or by any other law in force, or as hereunder, no copy of, or extract from any register, book, accounts, records or documents belonging to or in the possession of the Cantonment Board, shall be given nor shall an inspection of any such register, book, accounts, records or other document be granted to any person without the previous sanction in writing of the Executive Officer.

2. Except as aforesaid, every person wishing to inspect such record or document or to obtain any copy thereof or extract therefrom shall apply, in writing, to the Executive Officer stating clearly and correctly the description of such record or document.

3. Permission shall not be given for the inspection of any correspondence between the Board and the Central Government or any officer of the said Government or of any other document, the inspection of which is, in the opinion of the Executive Officer, detrimental to the interest of the Board or of the Government or to which the party applying is not entitled to nor shall copies of or extracts from any such correspondence or documents be supplied.

4. Copy shall not be granted of a record, map or plan which has been printed or lithographed and published under the authority of the Government of India and is for sale to the general public.

5. Extract from a document shall not be given which, when read apart from the whole, is capable of misrepresenting the purport, sense or any final order passed by the Board or any officer thereof.

6. The following fees shall be charged and credited in advance to the Cantonment Fund:—

- (i) For inspection of any document or record other than a Minute Book or Assessment List—One rupee per hour or part thereof. For a

- certified true copy of one entry from the assessment list—Rupees two per entry.
- (ii) For search of an index file register for the purpose of finding or tracing any documents—rupee one for each year's index file register which has to be searched.
  - (iii) (a) For copying or making extract from any document or office record—rupee one per hundred words or part thereof.
  - (b) If the original is in the tabular form—double the rate charged under sub-clause (a).
  - (iv) For a certified copy of a map or plan or any portion of a map or plan of any immovable property bearing a separate survey number—such fees not exceeding fifteen rupees and not less than two rupees as the Executive Officer may determine.
  - (v) For supplying a certified copy of a birth or death or marriage entry—rupee one.
  - (vi) For the supply of an extract from a property or building register of sites and transfers—rupees two and naya paise fifty only.
  - (vii) For the supply of duplicate copy of a licence—rupee one.
  - (viii) For attesting a copy of a document—naya paise fifty.
  - (ix) For the supply of any other document not covered by the above—rupee one per page or part of a page of the register.
  - (x) For supply of nerrick rates—naya paise fifty:

Provided that the District Soldiers Board shall not be charged fees for obtaining extracts from Cantonment Birth and Death registers maintained by the Cantonment Board when such entries are required for official purpose:

Provided further that no certified copy of any such document or record or any extract therefrom shall be issued to any person except on such paper as is pre-paid with the amount of duty chargeable under article 24 of Schedule 1 to the India Stamp Act, 1899 (2 of 1899).

NOTE.—(1) When an application is made for urgent copies, these, if supplied within three days from the date of receipt of the application, fees shall be charged for at double the rate prescribed under bye-law 6.

(2) No permission for inspection or for copy or extract shall be granted unless payment is received in advance.

[No. F. 12/20/G.L&C[61].]

#### CANTONMENT—REGULATIONS

**S.R.O. 15.**—The following bye-laws for the regulation of the grazing of animals made by the Cantonment Board, Babina, in exercise of the powers conferred by clause (21) of section 282 and section 283 of the Cantonments Act, 1924 (2 of 1924), are hereby published for general information, the same having been previously published and having been approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely:—

#### BYE-LAWS FOR REGULATING THE GRAZING OF ANIMALS IN THE BABINA CANTONMENT

1. No animal shall be grazed on any land within the limits of Babina Cantonment which is under the control of the Cantonment Board except at the places as may from time to time be set apart by the Cantonment Board for the purpose.

2. No person shall graze an animal on any land under the control of the Cantonment Board, Babina, set apart for the purpose, unless he possesses a pass or permit authorising him to do so.

3. The owner or the person-in-charge of an animal grazing on any land under the control of the Cantonment Board, Babina set apart for the purpose, shall be bound to keep it under proper care and control. On no account shall the animals be halted on roads.

4. Any animal for which a pass has not been obtained, or which is not under proper care and control, found grazing on any land under the control of the Cantonment Board, Babina, shall be liable to seizure by any servant of the

Cantonment Board, and shall be sent, within 2½ hours, to the Cantonment cattle pound.

5. The Executive Officer or a person authorised by him is empowered to grant grazing passes.

6. Grazing between the hours of sunset and sunrise shall not be permitted and any animal found grazing during these hours shall be dealt with as provided by bye-law 4.

7. Grazing may be closed for any period by an order of the Executive Officer as a protection to grass roots.

8. Owners of animals, or graziers, shall not permit their animals to damage young trees, shrubs, hedges or plants, or any property belonging to the Government or to the Cantonment Board.

9. Owners or graziers shall at once report the occurrence of any disease among their animals to the Executive Officer who shall, if necessary, close or restrict the grazing areas covered by their passes in order to prevent the spread of the disease, or take such steps as he may deem fit to take on the advice of the Veterinary Officer.

10. Every owner, grazier, or person-in-charge of animals permitted under bye-law 2 to graze animals on land under the control of the Cantonment Board, Babina, set apart for the purpose, shall carry his pass or permit with him and produce it for inspection when called upon to do so by any officer or servant of the Cantonment Board, authorised in this behalf.

11. Any person committing a contravention of any of these bye-laws shall be punishable with fine which may extend to one hundred rupees, and in the case of continuing contravention, with an additional fine which may extend to twenty rupees for every day during which such contravention continues after conviction for the first such contravention.

[No. F. 12/40/G/L&C/61.]

**S.R.O. 16.**—The following further amendment to the Bye-laws for regulating the Control of Rickshaws plying for hire and the grant of licences to proprietors or drivers of such Rickshaws in Bareilly Cantonment made by the Cantonment Board Bareilly in exercise of powers conferred by clauses (25) (26) and (27) of section 282 and section 283 of the Cantonments Act, 1924 (2 of 1924) and published with the notification of the Government of India, Ministry of Defence No. SRO 39, dated the 22nd January, 1955 is hereby published for general information, the same having been previously published and having been approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely:—

In the said Bye-laws, bye-law 3(A) shall be omitted.

[No. F. 12/48/G/L&C/58.]

#### CANTONMENT—TAXATION

**S.R.O. 17.**—In exercise of the powers conferred by section 60 of the Cantonments Act, 1924 (2 of 1924), the Cantonment Board, Dalhousie with the previous sanction of the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Defence No. 1684, dated the 1st October 1949, namely:—

#### Amendment

(1) In the said notification after the words "entering the Cantonment of Dalhousie" the words "from Naini-Khud side" shall be inserted and after the words "hereto annexed", the following words shall be added, namely:—

"The Tax shall be payable by the owner of the vehicle or by the person incharge of the same on his behalf".

(2) for the Schedule and Note in the said S.R.O., the following schedule shall be substituted, namely:—

“SCHEDULE

- (i) Motor Cars (including taxis and other passenger-carrying vehicles except motor cycles).—Annas eight per person subject to a minimum of Rs. 2 per vehicle in case of a car and Rs. 5 in case of a bus or lorry. Provided that a taxi or passenger lorry or a bus which is entirely empty except for the driver and cleaner (if any) shall pay a tax of Re. 1 only.

**Explanation.**—For the purpose of calculating the number of persons carried by a vehicle, no account shall be taken of persons exempt from the payment of toll under section 3 of the India Tolls (Army and Air Force) Act, 1901.

- (ii) Goods vehicles:—

Laden                      Rs. 5 per vehicle.

Entirely unladen      Re. 1 per vehicle.

[No. F. 53/22/G/L&C/61.]

*New Delhi, the 8th January 1962*

BYE-LAWS

**S.R.O. 18.**—The following amendments to the bye-laws regulating the erection, re-erection or alteration to buildings in Kanpur Cantonment made by the Cantonment Board, Kanpur in exercise of the powers conferred by section 186 of the Cantonments Act, 1924 (2 of 1924) and published with the notification of the Government of the former United Provinces in the Local Self Government Department No. 440-III/IX-29C-37, dated the 30th March 1938, are hereby published for general information, the same having been previously published, approved and confirmed by the Central Government as required under sub-section 1 of section 284 of the said Act, namely:—

To bye-law 11(b) of the said bye-laws the following proviso shall be added, namely:—

“Provided that not more than two barsatis (rain shelter) shall be permitted to be erected on the roof of the 1st floor subject to the restrictions—

- (a) in holdings measuring upto 1,800 sq. ft. only one barsati shall be permitted;
- (b) its dimensions shall not exceed the normal size of one of the rooms constructed on the 1st floor;
- (c) no barsati shall be allowed over a room facing the road directly;
- (d) no opening of a barsati shall be towards adjoining holdings to protect privacy of others;
- (e) the height of a barsati shall not exceed 8 ft;
- (f) there should be no approach to the roof of the barsati;
- (g) it shall not be used as a room or for any other purpose except as a temporary shelter from rain;
- (h) one side of barsati must be left open; and
- (i) the two barsatis where authorised should not be adjacent to each other.”

[No. F. 12/53/F/L&C/61/3597-G/D(C&L).]

**S.R.O. 19.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that a vacancy has occurred in Cantonment Board, Ahmedabad, by reason of the acceptance by the Central Government of the resignation of Shri R. R. Patel, Magistrate, 1st class.

[No. 19/2/G/L&C/55/74-G/D(C&L).]

**S.R.O. 20.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that Shri

B. J. Shelat, Magistrate 1st class, has been nominated, as a member of the Cantonment Board, Ahmedabad, by the District Magistrate, Ahmedabad, in exercise of the powers conferred under section 13(3)(b) *ibid* vice Shri R. R. Patel, Magistrate, 1st class resigned.

[No. 19/2/G/L&C/55/74-G/D(C&L).]

*New Delhi, the 9th January 1962*

**S.R.O. 21.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board, Kasauli, by reason of the acceptance by the Central Government of the resignation of Shri D. P. Gupta, Magistrate, 1st class.

[No. 19/5/G/L&C/59/71-G/D(C&L).]

**S.R.O. 22.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that Shri N. S. Bhalla, P.C.S., Magistrate, 1st class, has been nominated, as a member of the Cantonment Board, Kasauli, by the District Magistrate, Simla, in exercise of the powers conferred under section 13(3)(b) *ibid* vice Shri D. P. Gupta, Magistrate, 1st class resigned.

[No. 19/5/G/L&C/59/71-G/D(C&L).]

**S.R.O. 23.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board, Barrackpore, by reason of the acceptance by the Central Government of the resignation of Shri S. M. Murshed, Magistrate, 1st class.

[No. 19/19/G/L&C/54/3674-G/D(C&L).]

**S.R.O. 24.**—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that Shri A. B. Bose, W.B.C.S., Magistrate, 1st class, has been nominated, as a member of the Cantonment Board, Barrackpore, by the District Magistrate, 24-Parganas, Alipore, in exercise of the powers conferred under section 13(3)(b) *ibid* vice Shri S. M. Murshed, Magistrate, 1st class resigned.

[No. 19/19/G/L&C/54/3674-G/D(C&L).]

*New Delhi, the 10th January 1962*

#### CANTONMENT TAXATION

**S.R.O. 25.**—In exercise of the powers conferred by section 60 of the Cantonments Act, 1924 (2 of 1924), the Cantonment Board, Morar, with the previous sanction of the Central Government, hereby makes the following amendment to the notification of the Government of India in the Ministry of Defence S.R.O. 358, dated the 14th October, 1958, namely:—

In the said notification, after item (e) of the second paragraph, the following shall be inserted, namely:—

“(f) Vehicles for which Wheel Tax has been paid to the Gwalior City Corporation”.

[No. F. 53/23/G/L&C/61/29-G/D(C&L).]

*New Delhi, the 8th January 1962*

**S.R.O. 26.—Corrigendum.**—In the notification of the Government of India, in the Ministry of Defence No. S.R.O. 159, dated the 5th May, 1961, at page 89, of Part II, Section 4 of the Gazette of India, dated the 13th May, 1961 in the tenth line for the figure ‘9’ read ‘10’.

[No. F. 53/5/G/L&C/61.]

K. VENUGOPALAN, Under Secy.

